



# **PLANNING COMMISSION AGENDA REPORT**

MEETING DATE: AUGUST 9, 2004

*U.2.*  
ITEM NUMBER:

SUBJECT: REVIEW, MODIFICATION, OR REVOCATION OF PLANNING APPLICATION PA-03-26  
1192 BRISTOL STREET

DATE: JULY 29, 2004

FOR FURTHER INFORMATION CONTACT: MEL LEE, ASSOCIATE PLANNER  
(714) 754-5611

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## **PROJECT DESCRIPTION**

Review, modification, or revocation of a conditional use permit to legalize the expansion of an existing motor vehicle sales and leasing business (Champion Auto) at 1202 Bristol Street onto the subject property (1192 Bristol Street).

## **APPLICANT**

Larry Pointer/C&D Properties is the owner of the property and the operator of the business for which the conditional use permit was granted.

## **RECOMMENDATION**

Revoke the conditional use permit, due to non-compliance with conditions of approval.

MEL LEE  
Associate Planner

PERRY L. VALANTINE  
Asst. Development Services Director

## **BACKGROUND**

On October 13, 2003, Planning Commission approved Conditional Use Permit PA-03-26 to legalize the storage and display of motor vehicles on the above property. The approval was subject to the installation of site landscaping (a 20-foot front landscaped setback and a 10-foot rear landscape setback) to match the landscape buffer provided for the abutting commercial development at 1122 Bristol Street, and provide a buffer from the adjacent residentially-zoned properties. A copy of the original staff report for PA-03-26 is attached to this report for reference.

## **DISCUSSION**

Since the approval of the CUP in October, the applicant has not moved forward with the submittal of landscape plans for installation of site landscaping as required. Staff advised the property owner in letters dated February 5, 2004 (4 months from the date of approval), and June 16, 2004 (8 months from the date of approval), that compliance with the submitted plans and conditions of approval were required. The applicant has not responded to staff's letters. The letter sent to the property owner dated June 16, 2004 was sent via certified mail, which staff confirmed was received by the property owner. Copies of the letters are attached to this report for reference.

Code Section 13-29(o) (Enforcement Authority) allows modification or revocation of a land use application for non-compliance with conditions of approval.

## **ALTERNATIVES**

The Commission has the following alternatives:

1. The Commission may revoke the conditional use permit. If the conditional use permit is revoked, the property owner could no longer store vehicles at this location. He could continue to store vehicles on the abutting site (1202 Bristol Street) because the site was annexed from the County to the City and is legal nonconforming; or
2. The Commission may modify the conditional use permit by either establishing a deadline for which the property owner must provide the required site landscaping, or require that the vehicles be removed from the site until site landscaping is provided.

## **CONCLUSION**

Because the property owner has had adequate time (10 months) to provide the landscaping for the site as required by the CUP, and based upon the property owner's lack of cooperation with City staff, staff recommends that the conditional use permit be revoked and the applicant be directed to remove all vehicles from 1192 Bristol Street no later than 30 days after Commission action.

Attachments:      Draft Planning Commission Resolution  
                         Exhibit "A" – Findings  
                         Staff Letters dated February 5, 2004 and June 16, 2004  
                         Planning Commission Staff Report Dated October 13, 2003  
                         Location Map  
                         Plans  
                         Correspondence From Public

cc:     Deputy City Manager - Dev. Svcs. Director  
         Sr. Deputy City Attorney  
         City Engineer  
         Fire Protection Analyst  
         Staff (4)  
         File (2)

Larry Pointer  
C&D Properties  
1202 S.E. Bristol Street  
Santa Ana Heights, CA 92707

File Name: 080904PA0326

Date: 072904

Time: 1115 a.m.

**RESOLUTION NO. PC-04-**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE  
CITY OF COSTA MESA REVOKING PLANNING  
APPLICATION PA-03-26**

THE PLANNING COMMISSION OF THE CITY OF COSTA MESA HEREBY RESOLVES  
AS FOLLOWS:

WHEREAS, an application was filed on behalf of Larry Pointer/C&D Properties, owner of real property located at 1192 Bristol Street, requesting approval of a conditional use permit to legalize the expansion of an existing motor vehicle sales and leasing business (Champion Auto) at 1202 Bristol Street onto the subject property (1192 Bristol Street); and,

WHEREAS, the project was approved by the Planning Commission at a duly noticed public hearing held on October 13, 2003; and,

WHEREAS, a duly noticed public hearing was held by the Planning Commission on August 9, 2004 to review, modify, or revoke PA-03-26 based upon non-compliance with the submitted plans and conditions of approval.

BE IT RESOLVED that, based on the evidence in the record and the findings contained in Exhibit "A," the Planning Commission hereby **REVOKES** Planning Application PA-03-26 with respect to the property described above.

**PASSED AND ADOPTED this 9th day of August, 2004.**

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Chair  
Costa Mesa Planning Commission

[illegible]

I, Perry L. Valentine secretary to the Planning Commission of the City of Costa Mesa, do hereby certify that the foregoing Resolution was passed and adopted at a meeting of the City of Costa Mesa Planning Commission held on August 9, 2004, by the following votes:

AYES: COMMISSIONERS

NOES: COMMISSIONERS

ABSENT: COMMISSIONERS

ABSTAIN: COMMISSIONERS

Secretary  
Costa Mesa Planning Commission

**EXHIBIT "A"**

**FINDINGS**

- A. The revocation complies with Costa Mesa Municipal Code Section 13-29(o), which allows revocation of a land use application for non-compliance with conditions of approval. Specifically, the conditional use permit was approved in October 2003 subject to the installation of site landscaping (a 20-foot front landscaped setback and a 10-foot rear landscape setback) to ensure that the use is compatible and harmonious with uses on surrounding properties as required by Costa Mesa Municipal Code Sections 13-29(g)(2) and 13-29(e). Since the approval of the CUP 10 months ago, the property owner has not moved forward with the submittal of landscape plans for the installation of site landscaping as required, despite several reminders from City staff.



# CITY OF COSTA MESA

P.O. BOX 1200 • 77 FAIR DRIVE • CALIFORNIA 92628-1200

DEVELOPMENT SERVICES DEPARTMENT

February 5, 2004

Larry Pointer  
C&D Properties  
1202 S.E. Bristol Street  
Santa Ana Heights, CA 92707

**RE:   CONDITIONAL USE PERMIT PA-03-26**  
**1192 BRISTOL STREET, COSTA MESA**

Dear Mr. Pointer:

On October 13, 2003, Planning Commission approved the above application to legalize the expansion of an existing motor vehicle sales and leasing business. The purpose of this letter is to remind you of the need to comply with the conditions of approval for the use, including installation of site landscaping. A copy of the conditions of approval is attached to this letter for your reference. Your prompt attention to these issues is greatly appreciated.

If you have any questions, please do not hesitate to contact me at (714) 754-5611, between 1 p.m. and 5 p.m. Thank you again for your attention to this matter.

Sincerely,

MEL LEE, AICP  
Associate Planner

Attachment

cc:   Perry Valantine, Assistant Development Services Director  
      Jim Golfos, Chief of Code Enforcement

7



# CITY OF COSTA MESA

P.O. BOX 1200 • 77 FAIR DRIVE • CALIFORNIA 92628-1200

DEVELOPMENT SERVICES DEPARTMENT

June 16, 2004

CERTIFIED MAIL

Larry Pointer  
C&D Properties  
1202 S.E. Bristol Street  
Santa Ana Heights, CA 92707

RE: **CONDITIONAL USE PERMIT PA-03-26**  
**1192 BRISTOL STREET, COSTA MESA**

Dear Mr. Pointer:

On February 5, 2004, staff sent you a letter (a copy of which is attached), advising you that Planning Commission approved the above application last year to legalize expansion of an existing motor vehicle sales and leasing business, and conditions of approval for the use, including installation of site landscaping.

The purpose of this letter is to advise you that compliance of the conditions of approval will be required no later than July 16, 2004 (30 days from the date of this letter). Otherwise, the conditional use permit would be returned to the Planning Commission for possible revocation.

A copy of the conditions of approval is attached to this letter for your reference. Your prompt attention to these issues is greatly appreciated. If you have any questions, please do not hesitate to contact me at (714) 754-5611, between 1 p.m. and 5 p.m., Monday through Friday.

Thank you again for your attention to this matter.

Sincerely,

MEL LEE, AICP  
Associate Planner

Attachment

cc: Perry Valantine, Assistant Development Services Director



**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Harry Pointer  
C+D Properties  
1202 SE BRISTOL ST  
SANTA ANA CA  
92707

2. Article Number

(Transfer from service label)

7001 1940 0002 0920 9888

PS Form 3811, August 2001

Domestic Return Receipt

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

X

☐ Agent☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes  
if YES, enter delivery address below: ☐ No

3. Service Type

☒ Certified Mail☐ Express Mail☐ Registered☐ Return Receipt for Merchandise☐ Insured Mail☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

2ACPRI-03-P-4081



# **PLANNING COMMISSION AGENDA REPORT**

MEETING DATE: OCTOBER 13, 2003

*U11.5.*

ITEM NUMBER:

SUBJECT: PLANNING APPLICATION PA-03-26  
1192 BRISTOL STREET

DATE: OCTOBER 2, 2003

FOR FURTHER INFORMATION CONTACT: MEL LEE, ASSOCIATE PLANNER  
(714) 754-5611

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## **PROJECT DESCRIPTION**

The applicant is requesting approval of a conditional use permit to legalize the expansion of an existing motor vehicle sales and leasing business (Champion Auto) at 1202 Bristol Street onto the adjacent property (1192 Bristol Street).

## **APPLICANT**

The applicant is Ruben L. Pena, representing the property owner, Larry Pointer/C&D Properties.

## **RECOMMENDATION**

Approve by adoption of Planning Commission resolution, subject to conditions.

MEL LEE  
Associate Planner

PERRY L. VALANTINE  
Asst. Development Services Director

## PLANNING APPLICATION SUMMARY

Location: 1192 Bristol Street Application: PA-03-26

Request: Conditional use permit to legalize the expansion of an existing motor vehicle sales and leasing business (Champion Auto) at 1202 Bristol Street onto the adjacent property (1192 Bristol Street).

### **SUBJECT PROPERTY:**

### **SURROUNDING PROPERTY:**

Zone: <u>C1</u>	North: <u>(Across Bristol Street) C1, Storage Yard</u>
General Plan: <u>General Commercial</u>	South: <u>R1, Single Family Residences</u>
Lot Dimensions: <u>Irregular</u>	East: <u>C1, Auto sales &amp; leasing expndng onto subj. prop.)</u>
Lot Area: <u>26,038 SF</u>	West: <u>C1, 2-story office buildings</u>
Existing Dev.: <u>Motor vehicle sales and leasing (no structures).</u>	

### **DEVELOPMENT STANDARD COMPARISON**

<u>Development Standard</u>	<u>Required/Allowed</u>	<u>Proposed/Provided</u>
<b>Lot Size:</b>		
Lot Width	60 FT	62 FT
Lot Area	12,000 SF	26,038 SF
<b>Interior Landscaping:</b>		
	150 SF	1,810 SF
<b>Setbacks (Landscaping):</b>		
	20 FT	20 FT
<b>Parking:</b>		
	6	16
<b>TOTAL:</b>	<b>6 Spaces</b>	<b>16 Spaces</b>

CEQA Status: Exempt (Class 1)

Final Action: Planning Commission

## **BACKGROUND**

The site is a roughly "L" shaped commercial lot previously containing a commercial building at the front of the property and a detached residence at the rear of the property. On March 11, 2001, Planning Commission denied a request to construct a car storage building at the rear of the property with a variance from the rear yard setback (PA-01-37).

Earlier this year, the existing structures were demolished and the site was paved to expand an auto sales and leasing business (Champion Auto), abutting the site to the east at 1202 Bristol Street. Staff advised the property owner that approval of a conditional use permit was required to expand the use onto the subject property. A conditional use permit was not required when Champion Auto was first established (the property was not part of the City) at 1202 Bristol Street and the use is legal nonconforming.

## **ANALYSIS**

The subject property will be used solely for the storage and display of vehicles; no buildings are proposed. Proposed site improvements include installation of landscaping as required per code, including a 20-foot front landscaped setback and interior landscaping, including a 10-foot wide landscape planter along the rear property line (abutting residential properties). Staff is requiring, as a condition of approval, that the type, size, and number of plant materials match the landscape materials for the office development under construction at 1122 Bristol Street, abutting the site to the west. This development, which will also provide a 10-foot wide landscape planter along the rear of the site, will ensure a continuous buffer between the commercial and residential properties. Additionally, staff is requiring that the type and number of landscape materials be similar.

Recent projects along Bristol Street – such as the "Camp" development and the office complex currently under construction to the west of this site – have considerably upgraded the area and established a positive image for commercial properties along Bristol Street. When the variance for the car storage building at the rear of the property (PA-01-37) was denied, it was determined that the project was not consistent with the desired image of Bristol Street. It is staff's opinion that the use will provide a suitable "interim" use for the site until such time redevelopment of the site occurs. To encourage future development of the site, staff recommends a condition of approval requiring the property owner to obtain approval of a Lot Line Adjustment to consolidate the two properties (1192 Bristol Street and 1202 Bristol Street) in the event a building (or other type of development) is proposed to be constructed on the subject property in the future. Other conditions of approval to ensure that the use is compatible with surrounding properties (including residential) have also been included. With these conditions, and the landscape upgrades discussed earlier, staff supports the use.

**ALTERNATIVES**

If the request is not approved, the applicant could not utilize the property as proposed. The applicant could not submit the same type of application for six months. The property could be developed with commercial retail or office uses not subject to a conditional use permit, provided all of the applicable development standards are complied with.

**CONCLUSION**

Approval of the conditional use permit will allow for significant landscape upgrades to the existing site. As a result, staff supports the request.

Attachments:      1.      Applicant's Project Description and Justification  
                          2.      Draft Planning Commission Resolution  
                          3.      Exhibit "A" – Findings  
                          4.      Exhibit "B" – Conditions of Approval  
                          5.      Location Map  
                          6.      Plans

cc.:    Deputy City Manager - Dev. Svcs. Director  
          Sr. Deputy City Attorney  
          City Engineer  
          Fire Protection Analyst  
          Staff (4)  
          File (2)

Larry Pointer/C& D Properties  
 1202 S.E. Bristol Street  
 Santa Ana Heights, CA 92707

Ruben L. Pena  
 708 E. Occidental Street  
 Santa Ana, CA 92707

PLAN VG DIVISION - CITY OF COCOA MESA

DESCRIPTION/JUSTIFICATION

Application #: PA-03-26

Address: 1192 Bristol St

Environmental Determination: EXEMPT

- ① Fully describe your request: Permit for extend existing vehicle rental/leasing.

② Justification

- A. For a Conditional Use Permit or Minor Conditional Use Permit: Describe how the proposed use is substantially compatible with uses permitted in the same general area and how the proposed use would not be materially detrimental to other properties in the same area.

The Area is commercial Area

- ☒ For a Variance or Administrative Adjustment: Describe the property's special circumstances, including size, shape, topography, location or surroundings that deprive the property of privileges enjoyed by other properties in the vicinity under the identical zoning classification due to strict application of the Zoning Code.

3. This project is: (check where appropriate)

☐ In a flood zone.

☐ Subject to future street widening.

☐ In the Redevelopment Area.

☐ In a Specific Plan Area.

4. I have reviewed the HAZARDOUS WASTE AND SUBSTANCES SITES LIST published by the office of Planning and Research and reproduced on the rear of this page and have determined that the project:

☒ Is not included in the publication indicated above.

☐ Is included in the publication indicated above.

Signature

March '96

Date

6-20-06

**RESOLUTION NO. PC-03- 64**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE  
CITY OF COSTA MESA APPROVING PLANNING  
APPLICATION PA-03-26**

THE PLANNING COMMISSION OF THE CITY OF COSTA MESA HEREBY RESOLVES  
AS FOLLOWS:

WHEREAS, an application was filed by Ruben L. Pena, authorized agent for Larry Pointer/C&D Properties, owner of real property located at 1192 Bristol Street, requesting approval of a conditional use permit to legalize the expansion of an existing motor vehicle sales and leasing business (Champion Auto) at 1202 Bristol Street onto the subject property (1192 Bristol Street); and,

WHEREAS, a duly noticed public hearing was held by the Planning Commission on October 13, 2003.

BE IT RESOLVED that, based on the evidence in the record and the findings contained in Exhibit "A," and subject to the conditions of approval contained within Exhibit "B," the Planning Commission hereby **APPROVES** Planning Application PA-03-26 with respect to the property described above.

BE IT FURTHER RESOLVED that the Costa Mesa Planning Commission does hereby find and determine that adoption of this Resolution is expressly predicated upon the activity as described in the Staff Report for PA-03-26 and upon applicant's compliance with each and all of the conditions contained in Exhibit "B". Any approval granted by this resolution shall be subject to review, modification or revocation if there is a material change that occurs in the operation, or if the applicant fails to comply with any of the conditions of approval.

**PASSED AND ADOPTED this 13th day of October, 2003.**

  
\_\_\_\_\_  
Chair, Costa Mesa  
Planning Commission

STATE OF CALIFORNIA   )  
  )ss  
COUNTY OF ORANGE    )

I, Perry L. Valantine, secretary to the Planning Commission of the City of Costa Mesa, do hereby certify that the foregoing Resolution was passed and adopted at a meeting of the City of Costa Mesa Planning Commission held on October 13, 2003, by the following votes:

AYES:           COMMISSIONERS Garlich, Perkins, DeMaio, Faris, Foley

NOES:           COMMISSIONERS None

ABSENT:        COMMISSIONERS None

ABSTAIN:       COMMISSIONERS None

  
\_\_\_\_\_  
Secretary, Costa Mesa  
Planning Commission





























**EXHIBIT "A"****FINDINGS**

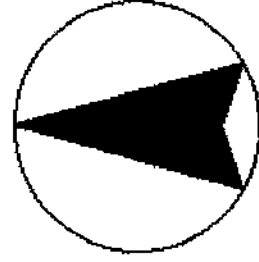
- A. The information presented substantially complies with Costa Mesa Municipal Code Section 13-29(g)(2) in that the proposed use is substantially compatible with developments in the same general area. Granting the conditional use permit will not be detrimental to the health, safety and general welfare of the public or other properties or improvements within the immediate vicinity. Specifically, the site, which is currently paved and has minimal landscaping, will provide landscaping as required per code, including a 20-foot front landscaped setback and interior landscaping at the rear of the property, including a 10-foot wide landscape buffer along the rear property line (abutting residential properties). Granting the conditional use permit will not allow a use, density or intensity which is not in accordance with the general plan designation for the property.
- B. The proposed project complies with Costa Mesa Municipal Code Section 13-29 (e) because:
- a. As an interim use, the proposed development and use is compatible and harmonious with uses both on-site as well as those on surrounding properties.
  - b. Safety and compatibility of the design of the buildings, parking areas, landscaping, luminaries, and other site features including functional aspects of the site development such as automobile and pedestrian circulation have been considered.
  - c. The proposed project complies with applicable performance standards prescribed in the Zoning Code.
  - d. The project is consistent with the General Plan.
  - e. The planning application is for a project-specific case and does not establish a precedent for future development.
- C. The project has been reviewed for compliance with the California Environmental Quality Act (CEQA), the CEQA Guidelines, and the City environmental procedures, and has been found to be exempt from CEQA.
- D. The project, as conditioned, is exempt from Chapter XII, Article 3, Transportation System Management, of Title 13 of the Costa Mesa Municipal Code.

**EXHIBIT "B"****CONDITIONS OF APPROVAL**

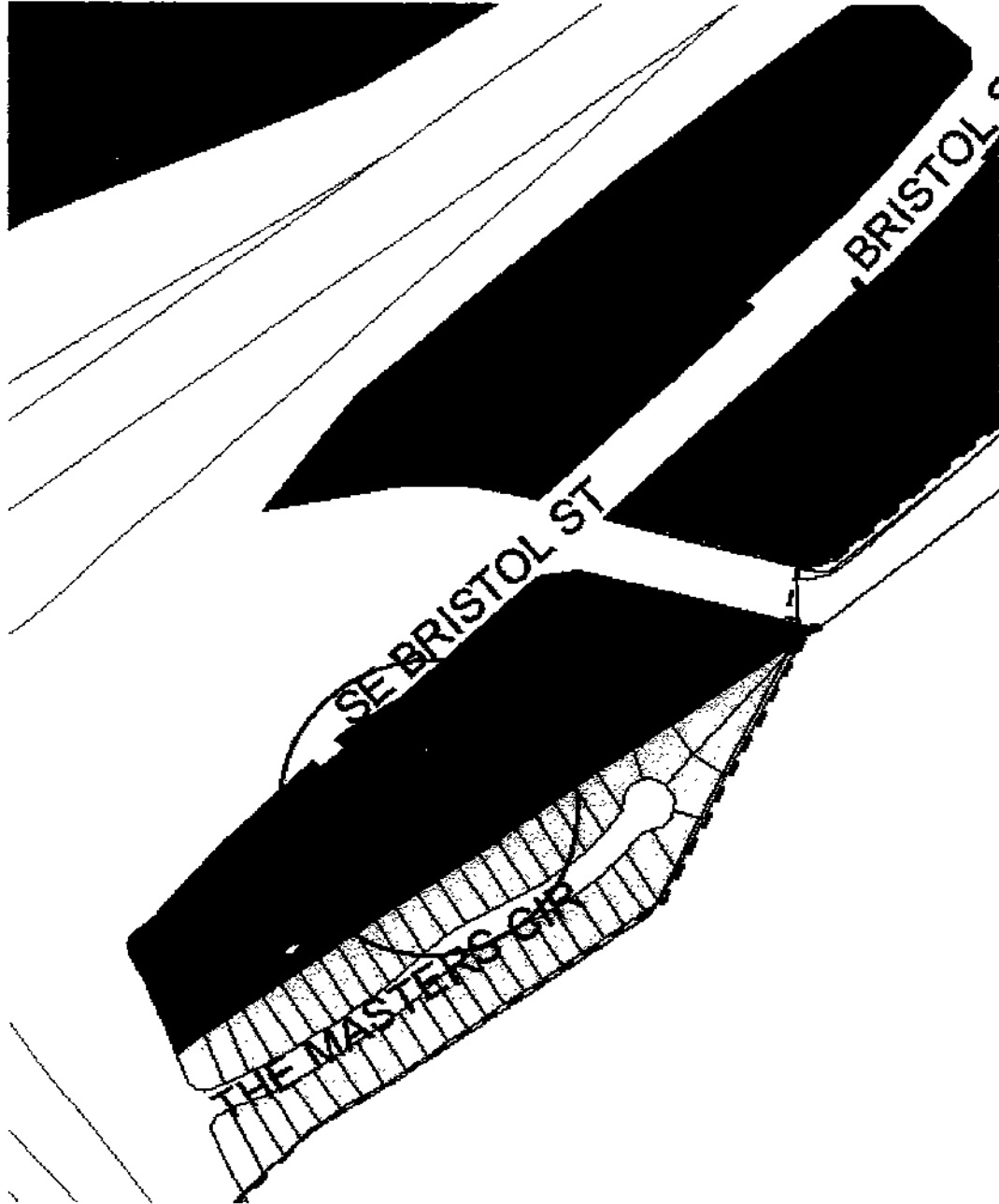
- Plng. 1. The conditional use permit herein approved shall be valid until revoked, but shall expire upon discontinuance of the activity authorized hereby for a period of 180 days or more. The conditional use permit may be referred to the Planning Commission for modification or revocation at any time if the conditions of approval have not been complied with, if the use is being operated in violation of applicable laws or ordinances, or if, in the opinion of the development services director or his designee, any of the findings upon which the approval was based are no longer applicable.
2. The applicant shall contact the Planning Division to arrange for a planning inspection of the site prior to the release of occupancy. This inspection is to confirm that the conditions of approval and code requirements have been satisfied.
3. Show method of screening for all ground-mounted mechanical equipment (backflow prevention devices, Fire Department connections, electrical transformers, etc.). Ground-mounted mechanical equipment shall not be located in any landscaped setback visible from the street and shall be screened from view, under the direction of Planning Staff.
4. A copy of the conditions of approval for the conditional use permit must be kept on premises and presented to any authorized City official upon request. New business/property owners shall be notified of conditions of approval upon transfer of business or ownership of land.
5. The use shall be conducted, at all times, in a manner to allow the quiet enjoyment of the surrounding neighborhood. The applicant and/or business owner shall institute whatever operational measures are necessary to comply with this requirement.
6. The use of loudspeakers, public address and/or paging systems, and two-way radios shall be prohibited.
7. Vehicle transport trucks shall not off-load on site. Off-loading within public right-of-way shall not interfere with pedestrian and vehicular circulation.
8. The use shall be limited to the sales, leasing, display and storage of motor vehicles. This conditional use permit does not authorize the service or repair of motor vehicles. Any change which has the effect of expanding or intensifying the use of the property, including construction of a building, shall be subject to review by the Planning Division and may require approval of a new conditional use permit.
9. Employees and customers shall be required to park on site.
10. There shall be no test driving of vehicles on residential streets.
11. Vehicles shall not be stored in a wrecked or dismantled condition.

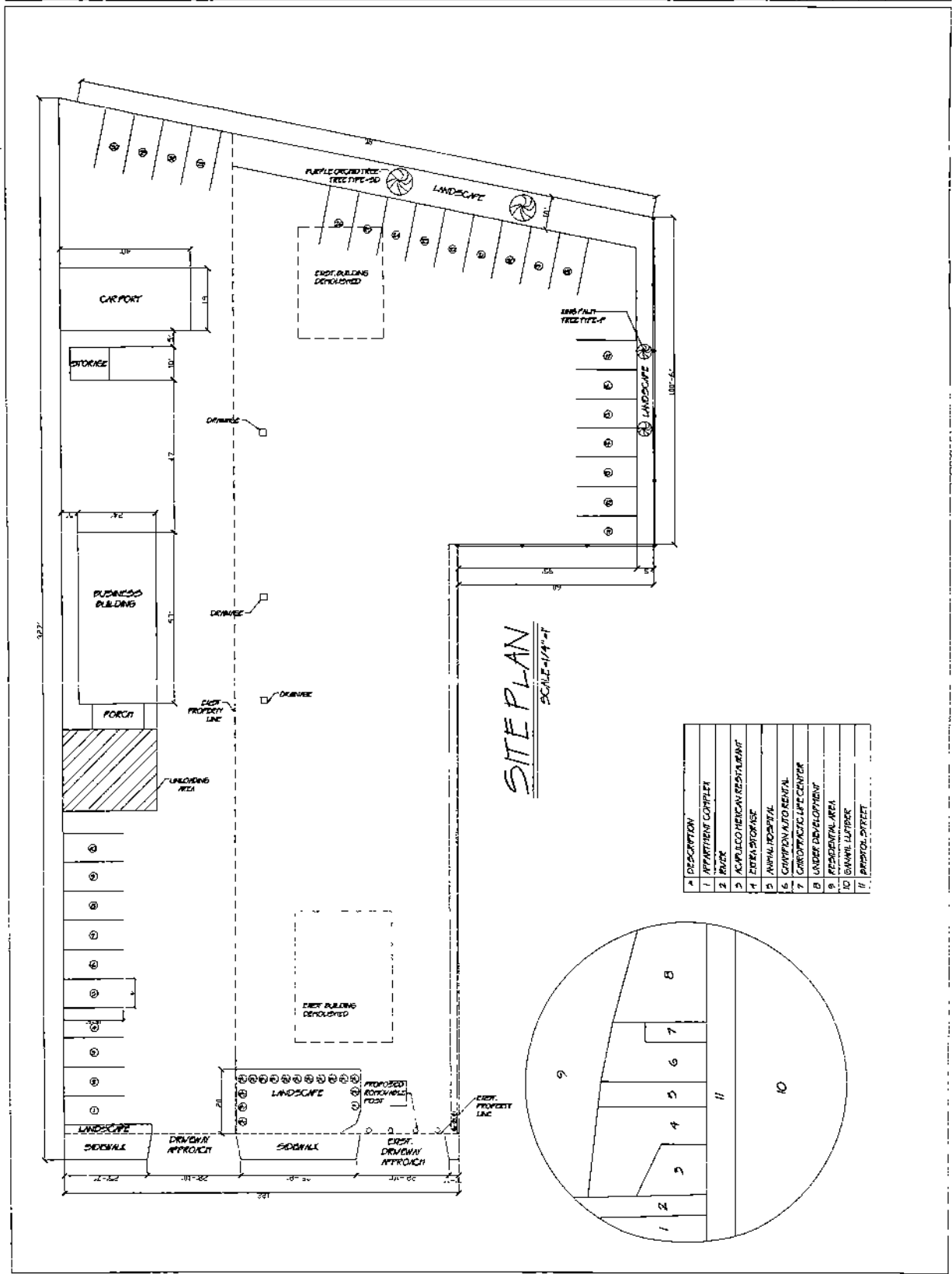
12. The landscape buffer along the rear property line shall match the landscaping for the development under construction at 1122 Bristol Street in terms of type, size, and number of plant materials.
13. In the event a building or other type of development is proposed to be constructed on the subject property, the property owner shall obtain approval of a Lot Line Adjustment to consolidate the two properties (1192 Bristol Street and 1202 Bristol Street).
- Trans. 14. The property owner shall provide proof of a recorded reciprocal access agreement between the subject property, 1202 Bristol Street and 1182 Bristol Street. If no such proof exists, the applicant shall record the required documents.
- Eng. 15. Maintain the site and public right-of-way in a "wet-down" condition during construction to prevent excessive dust and remove any spillage from the public right-of-way by sweeping or sprinkling.

	City Boundary Line
	City Freeways
	Zoning Specifics Plan Outline
	City Streets
	Sphere of Influence
	Zoning
	Single Family Residential
	Multiple Family Residential (Medium Density)
	Multiple Family Residential (High Density)
	Multiple Family Residential
	Administrative and Professional
	Commercial Limited
	Shopping Center
	Local Business
	General Business
	Town Center
	Planned Development Residential - Low Density
	Planned Development Residential - Medium Density
	Planned Development Residential - High Density
	Planned Development Residential - North Costa Mesa
	Planned Development Commercial
	Planned Development Industrial
	Institutional and Recreational
	Off-Street Parking
	General Industrial
	Industrial Park



**CITY OF COSTA MESA  
DEV. SVC. DEPT.  
OCTOBER 13, 2003**





**1192 Bristol Street  
PA-03-26**

Ms. Rosemary Schaulis  
158 The Masters Circle  
Costa Mesa, CA 92627

Property owner complains about existing landscaping at subject site has been removed, allowing large trucks to park right up to the rear property line. Owner would like City to require the applicant to place landscaping along rear property line.

7/26/04  
HT

LEE, MEL

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**From:** Rose Mary [rmsmom@comcast.net]  
**Sent:** Monday, July 26, 2004 1:28 PM  
**To:** mlee@ci.costa-mesa.ca.us  
**Subject:** Fw: Thank you!



-----Original Message-----

**From:** Rose Mary  
**Date:** 05/08/04 00:44:11  
**To:** larry@champion-autorental.com  
**Subject:** Thank you!

Dear Larry Pointer,  
Nice meeting you and thank you for your cooperative attitude and your help. You are a nice young man and I appreciate your help in solving my back fence problem.

Thank again,

Rose Mary Schaulis

---

FREE Emoticons for your email! [Click Here!](#)



**LEE, MEL**

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**From:** Rose Mary [rmsmom@comcast.net]  
**Sent:** Monday, July 26, 2004 1:26 PM  
**To:** mlee@ci.costa-mesa.ca.us  
**Subject:** Fw: RE: back fence

-----Original Message-----

**From:** larry  
**Date:** 07/15/04 14:35:14  
**To:** 'Rose Mary'  
**Subject:** RE: back fence

Hi Rose, we are almost done getting the approvals, then we will begin planting.

Larry

-----Original Message-----

**From:** Rose Mary [mailto:rmsmom@comcast.net]  
**Sent:** Thursday, July 15, 2004 10:11 AM  
**To:** Pointer, Larry  
**Subject:** back fence

July 15, 2004

Dear Larry Pointer,

You told me that you were having problems with the city that you would like to plant behind our fences. I would like to know what progress you have made and are you still planning this venture. If you need help with the city let me know and I will do all I can to help you. I am sure my neighbors would be willing to help also. If planting is not an option how about cement parking curbs to prevent parking up against the fence?

If something is not done I will make some arrangement to protect my living space since there is always a large truck or motor home parked against my back fence and it's an I sore.

Thank you for your time and please let me know what I can do.

Rose Mary Schaulis  
714 540-1350



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**FREE Emoticons for your email! [Click Here!](#)**





LEE, MEL

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**From:** Rose Mary [rmsmom@comcast.net]  
**Sent:** Monday, July 26, 2004 1:37 PM  
**To:** mlee@ci.costa-mesa.ca.us  
**Subject:** Fw: Truck

—Original Message—

**From:** Rose Mary  
**Date:** 07/25/04 00:47:38  
**To:** [larry@champion-autorental.com](mailto:larry@champion-autorental.com)  
**Subject:** Truck

Dear Larry,

Please ask the truckers to pull in forward instead of backing in against the fence, this way we won't have the smell of the tree clippings. Unfortunately it's summer and with the heat we have our sliding windows open. As you can see the green truck is backed up against the fence for the weekend, and with the heat it smells.

Thanks, sorry to be a pain..... Rose Mary

View from Family Room



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view from up stair bedroom, couldn't get a view of the clippings in the truck



25

07/27/2004









RECEIVED  
CITY OF COSTA MESA  
DEVELOPMENT SERVICES DEPARTMENT

JUL 28 2004

7-26-04  
4457 Heathdale  
Corvina City  
91722

Dear Mr. Lee:

I own the property at  
162 The Masters Circle in  
Costa Mesa.

I received a notice from  
the planning Commission  
advising me that they will  
be holding a study session  
on August 2. To review  
a conditional use permit  
PA-03-26, for an expansion  
of a motor vehicle rental-  
leasing business, located  
at 1192 Buntal St.

The trucks that are parked  
there are right up to the  
back of my property.

They are not only an eye

over but also when they  
are loaded with ~~tree~~ <sup>the</sup>  
clippings create a terrible  
odor. Sometimes the  
owners of the trucks let  
the motors run for quite  
some time, filling the  
air around with carbon  
dioxide fumes, which is  
very unhealthy & inconsiderate.  
Costa Mesa is a beautiful  
town & I can't believe  
that the City would allow  
this to bring down property  
values.

I would appreciate it if  
you would revoke their  
permit.

Thank for your attention  
to this matter

Sincerely  
Mrs. Jeannette Durhop  
626-3326304